## **CLAIMS LISTING**

## 1 - 35 Cancelled

- (New) A solid test strip designed for use in monitoring weight loss programs and capable of enabling a person to self-monitor weight loss on a daily basis in a sample of urine, saliva or other bodily fluid that is noninvasively obtainable, which provides a color signal, indicative of the β-hydroxybutyrate content of the sample upon being dipped in the sample, removed, allowed to rest briefly and read, which solid test strip comprises
  - 1) an inert support layer and
  - 2) a dried reagent layer comprising a porous material impregnated with
    - a)  $\beta$ -hydroxybutyrate dehydrogenase enzyme (" $\beta$ -HBD), which is either
      - (I) obtained from *Alcaligenes* or another source such that it is uninhibited by chloride ions or
      - (ii) is obtained from a source that is inhibited by chloride ions and is present in a concentration at least 10 to 20 times that used when the  $\beta$ -HBD is obtained from a source such that it is uninhibited by chloride ions,
    - b) nicotinamide dinucleotide ("NAD"),
    - c) a tetrazolium dye precursor
    - d) an electron mediator capable of transferring an electron to said
      dye precursor to effect a color change, and

- e) a sufficient amount of a buffer having a pH in excess of 8.5 to maintain the reaction pH above 8.5 when the strip is saturated with urine or other bodily fluid.
- 37 (New) A solid test strip according to Claim 36 wherein the electron mediator is a diaphorase enzyme.
- (New) A solid test strip according to Claim 36 wherein the tetrazolium dye precursor is nitrobluetetrazolium ("NBT") or 2-(indophenyl)-3-(paranitrophenyl)-5-phenyl tetrazolium chloride ("INT").
- (New) A solid test strip designed for use in monitoring weight loss programs and capable of enabling a person to self-monitor weight loss on a daily basis in a sample of urine, saliva or other non-invasively obtainable bodily fluid, which provides a color signal indicative of the combined  $\beta$ -hydroxybutyrate and acetoacetate content of the sample upon being dipped in the sample, removed, allowed to rest briefly and read, which solid test strip comprises
  - 1) an inert support layer and
  - 2) a dried reagent layer comprising a porous material impregnated with
    - a)  $\beta$ -HBD enzyme, which is either
      - (i) obtained from *Alcaligenes* or another source such that it is uninhibited by chloride ions or

- (ii) is obtained from a source that is inhibited by chloride ions and is present in a concentration at least 10 to 20 times that used when the  $\beta$ -HBD is obtained from a source such that it is uninhibited by chloride ions,
- b) NAD
- c) a tetrazolium dye precursor
- d) an electron mediator capable of transferring an electron to said
  dye precursor to effect a color change and
- e) a sufficient quantity of a buffer having a pH of at least 7.0 but less than 8.5, to maintain the reaction pH below 8.5 but not less than about 7.0 when the strip is saturated with urine or other bodily fluid.
- 40 (New) A solid test strip according to Claim 39 wherein the electron mediator is a diaphorase enzyme.
- 41 (New) A solid test strip according to Claim 39 wherein the tetrazolium dye precursor is NBT or INT.
- (New) A solid test strip designed for use in monitoring weight loss programs and capable of enabling a person to self-monitor weight loss on a daily basis in a sample of urine, saliva or other non-invasively obtainable bodily fluid, which provides a color signal indicative of the combined β-hydroxybutyrate and acetoacetate content of the sample upon being dipped in the sample, removed, allowed to rest briefly and read, which solid test strip comprises

- 1) an inert support layer and
- 2) a dried reagent layer comprising a porous material impregnated with
  - a)  $\beta$ -HBD enzyme, which is either
    - (i) obtained from *Alcaligenes* or another source such that it is uninhibited by chloride ions or
    - (ii) is obtained from a source that is inhibited by chloride ions and is present in a concentration at least 10 to 20 times that used when the  $\beta$ -HBD is obtained from a source such that it is uninhibited by chloride ions,
  - b) NAD,
  - c) a nitroprusside salt or a diazonuim salt in a quantity sufficient to react with both endogenous acetoacetate obtained by conversion thereto of  $\beta$ -hydroxybutyrate in the sample, and
  - d) a sufficient quantity of a buffer have a pH about 8.5 or higher to maintain the strip at the same pH when saturated with sample.
- 43 (New) A solid test strip according to Claim 42 wherein the electron mediator is a diaphorase enzyme.
- 44 (New) A solid test strip according to Claim 42 wherein the tetrazolium dye precursor is NBT or INT.
- 45 (New) A test strip according to Claim 42 wherein ingredient (c) is sodium nitroprusside.
- 46 (New) A test strip according to Claim 42 wherein ingredient (c) is a diazonium salt.

- 47 (New) A test strip according to Claim 46 wherein ingredient (c) is 4-nitrobenzenediazonium fluoborate.
- (New) A solid test strip designed for use in monitoring weight loss programs and capable of enabling a person to self-monitor weight loss on a daily basis in a sample of urine, saliva or other bodily fluid that is noninvasively obtainable, which provides a color signal, indicative of the total ketone bodies content of the sample upon being dipped in the sample, removed, allowed to rest briefly and read, which solid test strip comprises
  - 1) an inert support layer and
  - 2) a dried reagent layer comprising a porous material impregnated with
    - a) β-HBD
    - b) NAD
    - c) a nitroprusside salt or a diazonium salt in sufficient quantity to
      - (i) immediately react with the acetone present in the sample and stabilize it against volatilization and
      - (ii) also react with the endogenous acetoacetate in the sample and with acetoacetate obtained by the conversion thereto of  $\beta$ -hydroxybutyrate in the sample and
    - d) a sufficient quantity of a buffer having a pH of about 8.5 or higher to maintain the reaction pH at the same level when the strip is saturated with sample.

- 49 (New) A solid test strip according to Claim 48 wherein the electron mediator is a diaphorase enzyme.
- 50 (New) A solid test strip according to Claim 48 wherein the tetrazolium dye precursor is NBT or INT.
- 51 (New) A test strip according to Claim 48 wherein ingredient (c) is sodium nitroprusside.
- 52 (New) A test strip according to claim 48 wherein ingredient (c) is a diazonium salt.
- 53 (New) A test strip according to Claim 51 wherein ingredient (c) is 4-nitrobenzenediazonium fluoborate.
- New) A method for monitoring the level of β-hydroxybutyrate present in a sample of urine or another human bodily fluid that can be noninvasively obtained, which comprises contacting said sample with a mixture comprising the following ingredients:
  - a)  $\beta$ -HBD which either
    - (i) has been obtained from *Alcaligenes* or another source such that it is not inhibited by chloride ions, or else
    - (ii) has been obtained from a source such that it is inhibited by chloride ions and is present in an excess amount from 10 to 20 times the concentration utilized when the  $\beta$ -HBD is not inhibited by chloride ions,
  - b) NAD
  - c) a tetrazolium dye precursor,

- d) an electron mediator and
- e) a buffer having a pH above 8.5

and measuring by electrochemical, spectrophotometric or fluoro metric means, or by comparison of the develop color to a preestablish color intensity standard, the amount of  $\beta$ -hydroxyrate in the sample.

- 55 (New) A method according to Claim 54 wherein the tetrazolium dye precursor is NBT or INT.
- 56 (New) A method according to Claim 54 wherein the electron mediator is a diaphoruse enzyme.
- New) A method for monitoring the level of combined acetoacetate and β-hydroxybutyrate in a sample of human bodily fluid which comprises contacting the sample with a mixture of the following ingredients:
  - a) β-HBD
  - b) NAD
  - c) a tetrazolium dye precursor,
  - d) an electron mediator, and
  - e) a buffer having a pH that is over 7.0 but less than 8.5, and measuring by electrochemical, spectrophotometric or fluorometric means, or by comparison of the color developed to a preestablished color intensity standard, the combined amount of  $\beta$ -hydroxybutyrate and acetoacetate present in the sample.

- (New) A method according to Claim 57 wherein the sample is urine or another fluid that can be noninvasively obtained and the β-HBD is either (I) obtained from Alcaligenes or another source such that it is not inhibited by chloride ions, (ii) or else has been obtained from a source such that it is inhibited by chloride ions and is present in an excess amount from about 10 to 20 times the amount utilized when the β-HBD is not inhibited by chloride ions.
- 59 (New) A method according to claim 57 wherein the tetrazolium dye precursor is NBT or INT.
- 60 (New) A method according to claim 57 wherein the electron mediator is a diaphorase enzyme
- 61 (New) A method for monitoring the level of combined acetoacetate and hydroxybutyrate in a sample of human bodily fluid which comprises contacting said sample with a mixture comprising the following ingredients:
  - a)  $\beta$ -HBD,
  - b) NAD,
  - c) a nitroprusside salt or a diazonium salt in a quantity sufficient to react with endogenous acetoacetate in the sample and acetoacetate obtained by conversion thereto of  $\beta$ -hydroxybutyrate in the sample, and
  - d) a buffer having a pH of about 8.5 or higher and measuring by electrochemical, spectrophotometric or fluorometric means, or by comparison of the color developed to a preestablished color intensity standard, the amount of combined acetoacetate and  $\beta$ -hydroxybutyrate in the sample.

- (New) A method according to Claim 61 wherein the sample is urine or another fluid that can be noninvasively obtained and the β-HBD is either (i) obtained from *Alcaligenes* or another source such that it is not inhibited by chloride ions, or else (ii) has been obtained from a source such that it is inhibited by chloride ions and is present in an excess amount from about 10 to 20 times the amount utilized when the β-HBD is not inhibited by chloride ions.
- 63 (New) A method according to Claim 31 wherein the tetrazolium dye precursor in NBT or INT.
- 64 (New) A method according to Claim 31 wherein the electron mediator is a diaphorase enzyme.
- 65 (New) A method according to Claim 61 wherein ingredient (c) is a nitroprusside salt.
- 66 (New) A method according to Claim 61 wherein ingredient (c) is a diazonium salt.
- 67 (New) A method according to Claim 66 wherein ingredient (c) is 4-nitrobenzene diazonium fluoborate
- 68 (New) A method for monitoring the level of total ketone bodies in a sample of human bodily fluid which comprises contacting said sample with a mixture comprising the following ingredients:
  - a)  $\beta$ -HBD,
  - b) NAD,
  - c) a nitroprusside or diazonium salt in an amount sufficient to
    - (i) react instantaneously with and stabilize acetone in the sample,
    - (ii) also react with endogenous acetoacetate in the sample and

- (iii) also react with acetoacetate formed by conversion thereto of  $\beta$ -hydroxybutyrate in the sample, and
- d) a buffer having a pH of about 8.5 or higher, and measuring by electrochemical, spectrophotometric or fluorometric means, or by comparison of the color developed to a preestablished color intensity standard the amount of total ketone bodies in the sample.
- (New) A method according to Claim 68 wherein the sample is urine or another fluid that can be noninvasively obtained and the β-HBD is either (i) obtained from *Alcaligenes* or another source such that it is not inhibited by chloride ions, or else (ii) has been obtained from a source such that it is inhibited by chloride ions and is present in an excess amount from about 10 to 20 times the amount utilized when the β-HBD is not inhibited by chloride ions.
- 70 (New) A method according to claim 68 wherein the tetrazolium dye precursor is NBT or INT.
- 71 (New) A method according to claim 68 wherein the electron mediator is a diaphorase enzyme.
- 72 (New) A method according to claim 68 wherein ingredient (c) is a nitroprusside salt.
- 73 (New) A method according to claim 68 wherein ingredient (c) is a diazonuim salt.
- 74 (New) A method according to claim 73 wherein ingredient (c) is 4-nitrobenzene diazonium fluoborate.